

Docket No. HRT-0293

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stevens et al.  
 Serial No. : Art Unit :  
 Filed : March 15, 2002 Examiner :  
 Title : Method and Apparatus for Thoracoscopic Intracardiac Procedures

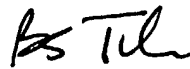
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Brian S. Tomko

(Name of applicant, assignee, or Registered Representative)



(Signature)

March 15, 2002

(Date of Signature)

Honorable Commissioner of Patents  
 Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Dear Sir:

This is a Preliminary Amendment in the above application, which is a continuation of  
 copending application application Serial No. 09/411,095, filed October 4, 1999.

**In the Claims:**

Please cancel, claims 1-20 and add claims 21- 29, as follows:

21. A method of forming a lesion in heart tissue of a patient, comprising:
- providing an electrophysiological ablating device comprising at least one electrode;
  - creating an opening in a patient's chest, the opening passing through the chest wall  
 and into the patient's thoracic cavity;
  - passing the electrode through the opening;
  - positioning the electrode adjacent to heart tissue; and

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ablating the heart tissue with the electrode to create a lesion in the heart tissue while the heart is beating.

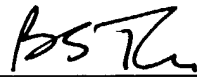
22. The method of claim 21, comprising the steps of:  
creating a second opening in the wall of the patient's heart, the second opening passing through the wall of the heart and into an interior chamber of the heart;  
positioning the electrode through the second opening and within an interior chamber of the heart prior to the step of ablating the heart tissue with the electrode.
23. The method of claim 22, wherein the step of positioning the electrode within a chamber of the patient's heart comprises the steps of:  
introducing a tubular access device into the second opening, the access device having an inner lumen and a distal end;  
inserting the electrophysiological ablation device through the inner lumen of the tubular access device such that the electrode extends beyond the distal end of the access device and within an interior chamber of the heart.
24. The method of claim 21, wherein the opening is created intercostally and the electrophysiological ablation device is introduced through the intercostal space.
25. The method of claim 24, wherein the opening is a small percutaneous incision in the space between the ribs.
26. The method of claim 21, wherein the opening is created without retracting the sternum.
27. The method of claim 21, wherein the opening is created without retracting the ribs.
28. The method of claim 21, wherein the step of ablating the heart tissue comprises the step of applying radiofrequency energy to create the lesion in the heart tissue.
29. The method of claim 21, wherein the step of ablating the heart tissue comprises the step of applying laser energy to create the lesion in the heart tissue.

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**REMARKS**

Claims 21-29 remain in this application. Claims 1-20 have been canceled. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By:   
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Dated: March 15, 2002